

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2002-665

February 21, 2003

LAURIE DOWN, ET AL vs. CENTRAL
MAINE POWER COMPANY
Request for Commission Investigation
Into the New Central Maine Power
Company Transmission Line Proposal
For Elliot, Kittery and York

PROCEDURAL ORDER

An initial case conference was held in this matter on February 12, 2003. This procedural order is a result of the actions and discussions that took place at the conference.

I. PETITIONS TO INTERVENE

The following petitions to intervene were granted by the Examiner at the conference:

- Town of York and the York Conservation Commission (consolidated)
- Terry E. Lacasse
- Kathleen and Richard Boston¹

Rulings on requests to intervene by the following petitioners were deferred, as no representative for the petitioner was present at the conference:

- James Marchese
- Town of Kittery
- Town of South Berwick
- Town of Eliot

As towns have a right by our rules, Chapter 110, Section 720, to mandatory intervention, the petitions of the Towns of Kittery, South Berwick and Eliot are granted. The petition by James Marchese will continue to be deferred until the Examiner confers with Mr. Marchese about his desired level of participation in this matter.

¹ The lead petitioner, Laurie Downs, was made an Intervenor in an earlier order. By consolidation of this docket with Docket No. 2002-660 the Public Advocate is also made a party to this docket.

II. TECHNICAL CONFERENCE

A technical conference will be held at the Commission on Thursday, March 6th at 9:00 a.m. The purpose of the conference will be to provide the Advisory Staff and Intervenor the opportunity to ask technical questions to CMP's transmission and distribution network planning experts about CMP's proposed transmission project, the need for the project, and the alternatives to that project that CMP considered. CMP will have the opportunity for short (15 minute) presentation at the beginning of the conference. The Advisory Staff will ask questions first, followed by the Public Advocate and then other Intervenor.

III. REMAINING PROCESS

Although the timing for the remainder of the proceeding will be decided later, the Examiner did discuss the next steps in the proceeding. After the technical conference, and any responses to oral data requests, the Advisory Staff will file a report, or bench analysis, which will discuss the need for the transmission line, alternatives to the line and alternatives to the proposed location of the line. Other Intervenor will be invited to file similar reports or testimony. Counsel for the Public Advocate stated that the OPA had hired consultants and expected the consultants to file such a report.

After the Advisors and Intervenor file reports, other parties will have the opportunity to file data requests. After data responses, a technical conference will be held.

Next, CMP and other parties will have the opportunity to file rebuttal testimony or reports. After which, depending on the issues in dispute, evidentiary hearings and/or oral arguments may be held. These will likely be held in Augusta at the Commission. Concurrently with the evidentiary hearings and/or oral arguments, a public witness hearing will be held in York County, likely in the evening on a weeknight (not a Friday). Following any hearings, parties will be provided the opportunity to file briefs (written comments) and reply briefs (responses to other parties' briefs). After an Examiner's Report (a written recommendation by the Advisory Staff) and exceptions (written comments or objections) to the Examiner's Report, the case will be ready for Commission decision.

Dated at Augusta, Maine, this 21st day of February, 2003.

BY ORDER OF THE HEARING EXAMINER

James A. Buckley